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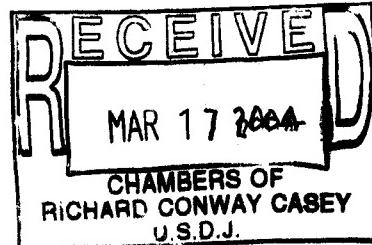
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## MEMO ENDORSED

By Federal Express

March 16, 2004

Honorable Richard C. Casey  
U.S. District Judge  
U.S. District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312



Re: Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al., C.A. No. 02-9849 (RCC).

Dear Judge Casey:

Pursuant to Your Honor's Rules of Practice, Part 3.b, undersigned counsel for defendant Al Haramain Islamic Foundation, Inc. (U.S.A.) ("AHIF") respectfully requests an extension of time for submitting its discovery responses. Counsel for AHIF has attempted to resolve this issue with counsel for the *Burnett* plaintiffs, but has been unable to reach a mutual resolution, notwithstanding the parties' prior cooperation in scheduling discovery matters.

AHIF is requesting an extension of time up to and including April 26, 2004, to respond to the *Burnett* plaintiffs' discovery requests, which comprise document requests and interrogatories covering the entire operations of AHIF over its five year period of existence. At present, the documents are located in Ashland, Oregon, AHIF's place of operation, and Washington, D.C., and it will require time and coordination to review and assemble these documents. Moreover, the two individuals with the greatest knowledge of AHIF's documents and operations are currently located out of this country, which will require additional time for them to review the documents to be produced and AHIF's discovery responses. AHIF's counsel is also engaged in preparing responses to the Third Amended Complaint on behalf of thirteen other defendants.

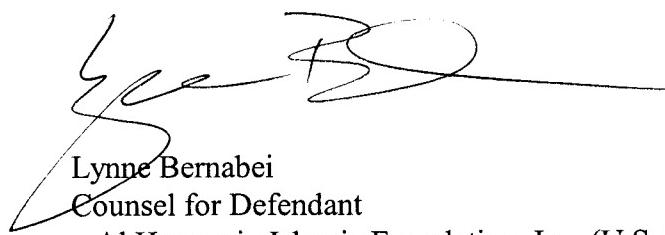
AHIF respectfully submits that plaintiffs will suffer no prejudice from this request, given that no order concerning discovery has been entered in this litigation. Further, the two principals

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of AHIF both have motions to dismiss pending before this Court.<sup>1</sup> Therefore, AHIF respectfully requests that this Court allow it an extension of time, up to and including April 26, 2004, to respond to plaintiffs' discovery requests.

We thank the Court for its consideration of this matter, and are available to respond to any questions the Court might have.

Sincerely,



Lynne Bernabei  
Counsel for Defendant  
Al Haramain Islamic Foundation, Inc. (U.S.A.)

cc: Counsel of Record (*Burnett*)

Application granted.



Richard C. Casey - 3/22/04

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<sup>1</sup> Judge Robertson granted defendant AHIF's motion to dismiss with respect to plaintiffs' Civil RICO counts (Counts 11, 12, and 13) and plaintiffs' negligence claims (Counts 6 and 8), and denied it only as to Counts 3-5, 7, 9-10, and 14, the remaining tort claims (plaintiffs had conceded that they could not state a claim under the Torture Victim Protection Act (Count 2), and Counts 1 and 15 were not brought against AHIF). See Burnett v. Al Baraka Invest. & Devel. Corp., 274 F. Supp. 2d 86, 111 (D.D.C. 2003).